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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/675,081

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EXAMINER

MENDOZA JR, JORGE

ART UNIT

PAPER NUMBER

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/675,081	<b>Applicant(s)</b> KARAOGUZ ET AL.	
	<b>Examiner</b> JORGE MENDOZA JR	<b>Art Unit</b> 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01/28/2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01/28/2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. Claims **1-31** are presented for Examination.
2. Claims **1-4, 7-14, 17-24, 27, and 30-31** have been amended.

### *Terminal Disclaimer*

3. The terminal disclaimer filed on 01/28/2008 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of **10/675,489** has been reviewed and is accepted. The terminal disclaimer has been recorded.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims **1-31** are rejected under 35 U.S.C. 102(b) as being anticipated by **Walker et al. (US Patent Application Publication 2001/0018771)**.

With respect to Claim **1**, the claimed “delivering the broadcast television program along with at least one synchronized functionality associated with the broadcast television program, the broadcast television program and said at least one synchronized functionality for display on a television screen within a home” is met by Walker et al. that

teach a system in which broadcast television programs are delivered to a television receiver **30** which displays the received content to a viewer **80**, along with supplemental information synchronized with the events occurring within a particular video program, on an integrated display (*Figs.1 & 2; and paragraph [0020], [0030], [0040], [0042], [0055]*).

The claimed “said at least one synchronized functionality comprising at least one user-selectable option” is met by Walker et al. that teach the selectivity of some of the synchronized supplemental information being presented to a viewer of the video program (*paragraphs [0054] & [0072]*).

The claimed “receiving an input from a user that selects at least a portion of said at least one synchronized functionality associated with at least a portion of the broadcast television program, during said delivery; and in response to said received input, performs at least a portion of said at least one synchronized functionality associated with said at least a portion of the broadcast television program, at least in part outside said home” is met by Walker et al. that teach a system in which a viewer **80** provides specific data (program identification information **33** & synchronization information **32**) to a web site server **70**, the server uses this data to access the pertinent supplemental data and thereby sends it to the requesting viewer (*Fig.1&3; paragraphs [0018], [0051], [0055], [0061], & [0064]*).

With respect to Claim **2**, the claimed “associating said at least one synchronized functionality with the broadcast television program” is met by Walker et al. that teach the use of program identification information **33** in distinguishing the video program being currently viewed from those that are also being broadcasted (*Fig.2; paragraph [0045]*).

With respect to Claim **3**, the claimed “notifying said user of said at least one synchronized functionality corresponding to the broadcast television program” is met by Walker et al. that teach the use of a event database **56a**, within a display device **50**, to display to a viewer the supplemental information available for the program being viewed and additionally the use of pop up windows, menu choices, dialog boxes, etc. for the selection of some supplemental information (*Fig.5; paragraphs [0054],[0062] & [0072]*).

With respect to Claim **4**, the claimed “broadcasting an indication of said at least one synchronized functionality along with the broadcast television program” is met by Walker et al. that teach the notification of available supplemental information by way of pop windows, menu choices, dialog boxes, etc. on a display **63** (*Fig.3; paragraph [0072]*).

With respect to Claim **5**, the claimed “wherein said input is a code representative of said function” is met by Walker et al. that teach the use of specific numbers (program ID info **33** & synchronization info **32**) in obtaining supplemental information associated with a particular scene in a video program (*Fig.2, paragraph [0045]*).

With respect to Claim **6**, the claimed “wherein said input is generated from at least one of a remote control, a keyboard, a scanning device and an audio processing device” is met by Walker et al. that teach the use of an input device **62** (such as a keyboard, mouse, joystick, trackballs, remote control, video cameras, or speech recognition devices) in inputting data for the retrieval of supplemental data (*Fig.3; paragraph [0061]*).

With respect to Claim **7**, the claimed “generating supplemental information related to the broadcast television program in response to said received input” is met by Walker et al. that teach the retrieval of supplemental information upon data being inputted by the viewer, the data then being processed by CPU **51** of the integrated display device **50** in order to access supplemental data via a web site server **70** (*Fig.3 & 4; paragraph [0069]*).

With respect to Claim **8**, the claimed “presenting said supplemental information to said user” is met by Walker et al. teaching the displaying of the supplemental information on an integrated display device **50**, in such a manner in which it is synchronized with the corresponding video program (*paragraphs [0055] & [0071]*).

With respect to Claim **9**, the claimed “presenting said supplemental information to said user concurrently with said delivery of the broadcast television program” is met by Walker et al. that teach the use of an integrated display device **50** in displaying a video program and the supplemental information associated with it (*Fig.3; paragraphs [0055], [0062], & [0071]*).

With respect to Claim **10**, the claimed “displaying information related to said performance of said at least a portion of said at least one synchronized functionality” is met by Walker et al. that teach the use of a database, simulcast event database **56a**, in keeping a record of the related supplemental information available for a particular video program (*Fig.5; paragraph [0062]*).

Claim **11** is met as previously discussed with respect to Claim **1**.

Claim **12** is met as previously discussed with respect to Claim **2**.

Claim **13** is met as previously discussed with respect to Claim **3**.

Claim **14** is met as previously discussed with respect to Claim **4**.

Claim **15** is met as previously discussed with respect to Claim **5**.

Claim **16** is met as previously discussed with respect to Claim **6**.

Claim **17** is met as previously discussed with respect to Claim **7**.

Claim **18** is met as previously discussed with respect to Claim **8**.

Claim **19** is met as previously discussed with respect to Claim **9**.

Claim **20** is met as previously discussed with respect to Claim **10**.

Claim **21** is met as previously discussed with respect to Claim **1**. Furthermore, Walker et al. teach the use of a processor, CPU **51**, in performing a number of functions. Among these functions, the CPU **51** takes part in delivering a broadcast television program for display on a TV, in receiving an input from a user correlating a function to a portion of the broadcast TV program, and in transmitting selected functions outside of the home in response to the users input (*Fig.3; paragraphs [0018], [0051], [0055], & [0061]*).

Claim **22** is met as previously discussed with respect to Claim **2**.

Claim **23** is met as previously discussed with respect to Claim **3**.

Claim **24** is met as previously discussed with respect to Claim **4**.

Claim **25** is met as previously discussed with respect to Claim **5**.

Claim **26** is met as previously discussed with respect to Claim **6**.

Claim **27** is met as previously discussed with respect to Claim **7**.

Claim **28** is met as previously discussed with respect to Claim **8**.

Claim **29** is met as previously discussed with respect to Claim **9**.

Claim **30** is met as previously discussed with respect to Claim **10**.

With respect to **Claim 31**, the claimed “wherein said at least one processor is at least one of a media processing system processor, a media management system processor, a computer processor, media exchange software processor, and a media peripheral processor” is met by Walker et al. that teach the use of a processor, CPU **51**, in the integrated display device **50** (*Fig.3; paragraphs [0056]-[0059]*).

### ***Response to Arguments***

**6.** Applicant's arguments with respect to Claims **1-31** have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

**7. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not



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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Scott Beliveau** can be reached at (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J.M.J./

**Examiner, Art Unit 2623**

/Scott Beliveau/

**Supervisory Patent Examiner, Art Unit 2623**